

Appl. No. 09/838,782

Reply Filed: October 8, 2007

In lieu of filing an Appeal Brief; Reply to Final Office Action of: February 6, 2007

### Remarks

In lieu of filing an Appeal Brief, the Applicant submits a Request for Continued Examination (RCE) Transmittal and this Reply to the Final Office Action of February 6, 2007. In view of the foregoing amendments and following remarks, reconsideration is requested.

Claims 1-14 remain in this application, of which claims 1, 7 and 10 are independent. No claim fee is due for this amendment.

### Rejection Under 35 U.S.C. §102

Claims 1-5, 7-9 and 13-15 of which claims 1 and 7 are independent, were rejected under 35 U.S.C. §102 in view of U.S. Patent 5,659,793 ("Escobar"). The rejection is respectfully traversed.

According to Escobar, an editing system has a user interface that includes "[t]ime lines 140, 141, 150, 151 and 160 [which] are represented as a plurality of tracks." Col. 6, lines 22-23. "At least two video tracks . . . are preferred." Col. 6, lines 23-24. "At least one interactive object track 160 should be included . . ." Col. 6, lines 26-27. "Separate directories or 'bins' are preferably maintained for video objects, audio objects, text/graphical objects, special effects, program objects and applications." Col. 6, lines 55-58. These audiovisual assets are stored in "files . . . in industry standard format" such as "open media framework [OMF] format." Col. 7, lines 52-55. In the user interface, a "[b]utton 173 invokes application creation or editing functions which permit objects to be assembled into applications with relative timing specified by their placement along the timeline tracks." Col. 6, 37-40. The duration property of audiovisual asset objects may be edited using button 172. Col. 6, lines 36-37. An audiovisual asset may have an associated time code that "allows an edit point to be defined as a certain duration from a clearly delineated starting point for asset playback." Col. 8, lines 16-18. However, when an audiovisual asset is converted to digital without a time code, one is applied in order to allow "an edit point to be defined as a certain duration from a clearly delineated starting point for asset playback." Thus, "portions of an asset . . . can be specified in terms of starting and ending time or starting time and duration." Col. 8, lines 19-21.

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According to Escobar, the linked lists for "all timeline tracks are merged into a single IDL." Col. 10, line 35. "The IDL is essentially as ASCII text file and can be read and edited as such." Col. 10, lines 46-47. In particular, "when it is desired to edit interactive multimedia applications represented as IDLs, simple text editing of the text file is all that is required. . . . This involves reading the IDL into a text editor, . . . adding, deleting or modifying . . . the text, iterating . . . as necessary and storing the revised IDL. . . . The simplicity of the editing process also permits very easy refreshment of interactive multimedia applications." Col. 10, lines 47-55.

Regarding claim 1, in the Office Action it is asserted that because the claim limitation had used the phrasing "either...or", the *at a point in time with a duration with a source clip object* limitation, and the arguments associated therewith, could be ignored. Applicants respectfully disagree, but have amended claim 1 to include the clarifying limitation

*a user interface for receiving a user selection whether to place interactive content on the at least one interactive track at a single point in time with a locator object or at a point in time with a duration with a source clip object.*

As the instant Action appears to recognize, Escobar does not disclose representing interactive content in a timeline as having a *duration*. The passages cited (col. 10, lines 10-36; col. 10, line 58 – col. 12, line 15) clearly refer to the creation and editing of audiovisual assets, rather than computer program objects representing *interactive content*. With regard to computer program objects, Escobar repeats in several locations that execution of the objects represented on the timeline occurs in a time sequence indicated by their position on the timeline, which is a result of the user dragging and dropping a program object onto the interactive track timeline, but nowhere describes how interactive objects may be represented as having a duration. For example, with reference to Figure 7, the example program object that starts at time 770 does not have an associated "begin" or "end" time. Further, none of the six (6) exemplary program objects disclosed at column 8, lines 37-42 are described as having a duration, adjustable or not. The creation of objects with editable properties described with reference to Fig. 5B clearly relates to audiovisual assets having "beginning and ending time codes" and optional multimedia mnemonics. Escobar is silent with regard to an option of representing interactive content (program objects) in the timeline at a point in time with a *duration with a source clip object*. In contrast, as explained in paragraph [0017], representing the interactive content over a range of

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time permits editing of both time-based media and interactive content together and maintaining frame accurate synchronization.

Claim 1 was also previously amended to clarify the distinction between a locator object and a source clip object (based on page 8, lines 23-26 of the specification), by reciting that "a locator object is an object that is attached to a source clip object in the timeline at a specified single point in time on the clip." The cited portions of Escobar fail to teach these distinctions between a locator object and a source clip object that are recited in claim 1.

Regarding claim 7, the Action asserts on page 16 that Applicants' arguments do not address the disclosure of Escobar that "the IDL is updated in response to each user edit decision, and provides the associations and unique references between objects, interactive content, and attributes." The Action asserts that Col. 10, lines 37-55 teaches the limitations of claim 7. Applicant respectfully disagrees.

Escobar teaches that an IDL representing the multimedia presentation is a text file that may be edited. The IDL is a text file that combines all the linked lists representing each timeline track of the multimedia presentation. While Escobar teaches that objects properties for an object in a bin may be specified through a template (Col. 9, lines 20-45), it does not teach that these properties are updated "*by accessing the interactive content using the unique reference in response to the user invoking a refresh operation,*" as claimed. The possibility of editing an IDL (as described in Escobar in Col. 10) is unrelated to *updating properties of objects in a bin* or this claim limitation.

Escobar permits the properties of an object in a bin to be edited through a properties template which is invoked by selecting the object in the bin. Escobar does not teach that these properties are updated by accessing the interactive content in response to a user *invoking a refresh operation*. In particular, the "*interactive content is represented by an object in the bin, wherein the object is associated with a unique reference to the interactive content, and wherein information describing the interactive content is stored as an attribute of the object,*" and "*the information describing the interactive content stored as an attribute of the object in the bin [is updated] by accessing the interactive content using the unique reference in response to the user invoking a refresh operation.*" Escobar fails to teach these limitations.

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Accordingly the rejection of independent claims 1 and 7 is traversed. The remaining claims 2-5, 8-9 and 13-14 (as well as 6, discussed below) are dependent claims that are allowable for at least similar reasons.

In addition, dependent claim 2 includes limitations similar to claim 7 and is allowable for at least similar reasons.

Rejection of Claims 6 and 10-12 Under 35 U.S.C. §103

Claims 6 and 10-12, of which claim 10 is independent, were rejected under 35 U.S.C. §103 in view of Escobar and U.S. Patent 6,324,335 ("Kanda"). The rejection is respectfully traversed.

Escobar is discussed above.

The Action states that Escobar "does not explicitly teach a specification of size and spatial position of the video relative to the information to be displayed in the display, or means for accessing the specification of the size and spatial position of the video for the interactive content corresponding to a point in time in the program." The Action also states that Escobar "does not explicitly teach a means for displaying the video and the display information of the interactive content according to the specification of the size and spatial position of the video relative to the information to be displayed in the display and the point in time in the program." The Action relies instead upon Kanda for teaching editing both the length and position of the clip.

According to Kanda, referring to Figs. 3 and 6, "first management record data" is used to manage all of the clipped image data displayed in the displaying areas 28, 29 and 30 of Fig. 3, reproduced below. See Col. 17, lines 5-17. This data includes the "horizontal size of the display for one page," which is the maximum number of images displayed horizontally for each track 28, 29 and 30, the "vertical size of the display for one page," which is the maximum number of displayed tracks, and "the display position on the screen," which is the relative placement of the displayed tracks 28, 29 and 30.

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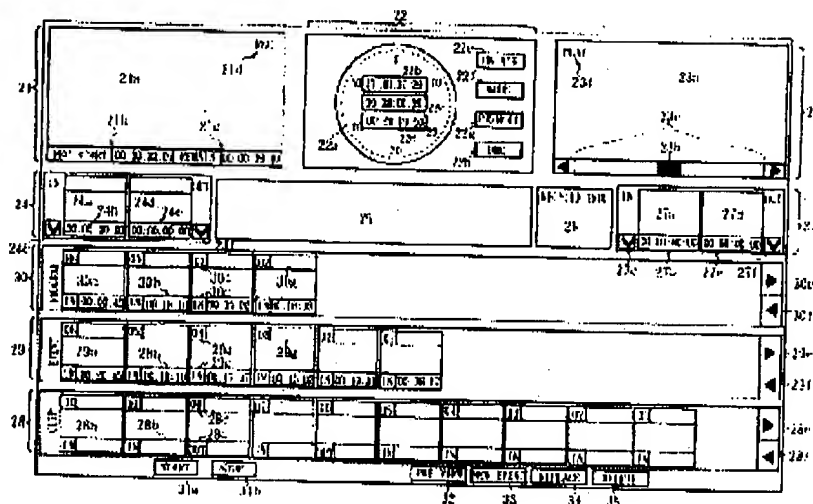


FIG. 3

Assuming, for the sake of argument, that Kanda would have been combined with Escobar, the claims as amended distinguish from the proposed combination of Escobar and Kanda.

In particular, claim 10 recites that “*interactive content includes display information indicating information to be displayed in a display with the video from the at least one track for video, and a specification of size and spatial position of the video relative to the information to be displayed in the display*”. Claim 10 also recites a “*means for playing back the program specified by the timeline interface including: means for accessing the specification of the size and spatial position of the video for the interactive content corresponding to a point in time in the program; and means for displaying the video and the display information of the interactive content according to the specification of the size and spatial position of the video relative to the information to be displayed in the display and the point in time in the program.*”

Dependent claim 6 has similar limitations.

The proposed combination of Escobar and Kanda does not teach these limitations. In particular, the data described by Kanda is associated with the timelines, not the *interactive content*; the data described by Kanda relates to the presentation of the timelines in the user interface, not the *playback of video and interactive content in the multimedia presentation*.

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Accordingly the rejection of independent claim 10 is traversed. The remaining claims 11 and 12 are dependent claims that are allowable for at least similar reasons.

With respect to claim 6, claim 6 is allowable at least for similar reasons as claim 1 from which it depends. In addition, claim 6 has limitations similar to claim 10 and is allowable for at least similar reasons.

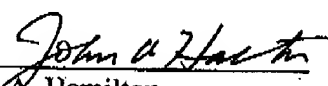
#### CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this reply, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, please charge any fee to **Deposit Account No. 50-0876**.

Respectfully submitted,

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